

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**In re TRANS UNION CORP.
PRIVACY LITIGATION**

THIS DOCUMENT RELATES TO:

ALL CASES

**Lead Case No. 00 cv 4729
MDL Docket No. 1350
Judge Robert Gettleman
Magistrate Judge Michael T.
Mason**

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF
PROPOSED CLASS ACTION SETTLEMENT**

Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, Plaintiffs, by and through Settlement Counsel, move for an Order preliminary approving a proposed settlement in this class action litigation. In support of this motion, the Plaintiffs state as follows:

1. Plaintiffs and Defendants have reached agreement on a proposed Stipulation of Settlement (the "Proposed Settlement"). The Proposed Settlement requires Defendants to provide certain in-kind relief to consumers and to pay cash into a settlement fund. A copy of the Stipulation of Settlement is submitted with the Exhibits to this motion. For the reasons set forth in Plaintiffs' Memorandum filed in support of this Motion, the Court should grant the request for preliminary approval of the Proposed Settlement.

2. The Proposed Settlement would involve the certification of a Plaintiff Settlement Class under Rule 23(b)(1)(A) of the Federal Rules of Civil Procedure. The Plaintiff Settlement Class is defined as follows: all persons who had an open credit account or open line of credit from a credit grantor located in the United States at any time during the period of January 1, 1987, to the date of preliminary approval. For the reason set forth in the accompanying

Memorandum, Plaintiffs request that the Court provisionally certify that class, solely for the purpose of the Proposed Settlement.

3. The Proposed Settlement also contemplates that the parties would provide notice of the Proposed Settlement to the above- referenced class so members of the class would have an opportunity to be heard in connections with the Proposed Settlement. A description of the notice program, and an analysis of its effectiveness, is found in the Notice Plan (Exhibit___). For the reasons set forth in the notice plan, and for the reasons set for in the accompanying Memorandum, the Court should approve the Notice Plan as reasonable and should direct notice to the class members pursuant to the Notice Plan.

4. Plaintiffs further request that the Court schedule a Fairness Hearing, and set a schedule for written submissions in advance of that Fairness Hearing, so that class members may be heard on the Proposed Settlement, and so that they Court may consider whether the Proposed Settlement is fair, reasonable and adequate.

5. In connection with the Proposed Settlement, the following materials are submitted in the Appendix to this Motion.

Exhibit	Description
A	Stipulation of Settlement (dated, May 20, 2008)
B	Affidavit of Gina M. Intrepido on Settlement Notices and Notice Plan (with Exhibit 1 - Notice Plan;, Exhibit A - Hilsoft Notifications' c.v.; Exhibit B - Forms of Notice; and Exhibit C – Parade and USA Weekend Newspaper List)
C	Declaration of Christopher T. Micheletti In Support of Preliminary Approval (with Exhibits 1-11)
D	Draft of Proposed Order Granting Preliminary Approval to Proposed Settlement

6. For the reasons set forth in accompanying Memorandum, Plaintiffs request that the Court enter an Order preliminary approving the Proposed Settlement, in a form substantially similar to the Draft Order that appears at Exhibit D.

WHEREFORE, Plaintiffs seek an Order:

- (a) Preliminary approving the Proposed Settlement, as set forth in the Stipulation of Settlement (Exhibit A);
- (b) Conditionally certifying the Plaintiff Settlement Class, as defined above, solely for the purpose of the Proposed Settlement;
- (c) Approving the Proposed Notice Plan (Exhibit B), including the forms of the notice to the class member and directing that notice be given to the class pursuant to the Proposed Notice Plan;
- (d) Setting deadlines for written submissions, and setting a Final Hearing on whether to approve the Proposed Settlement; and

Granting such other relief as the Court deems just and proper.

DATED: May 20, 2008.

Respectfully submitted,

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CERTIFICATE OF SERVICE

Undersigned counsel hereby certifies that a copy of the foregoing has been filed on the Court's ECF system and thereby served on all counsel of record, this 20th day of May, 2008.

/s/ Cory S. Fein
Cory S. Fein